

CONSENT DECREE

FOR PARENTING TIME, LEGAL DECISION-MAKING, AND CHILD SUPPORT

YOU CAN USE THIS PACKET IF ALL THIS IS TRUE:

- You or the other party filed a petition for parenting time, legal decision-making, and child support.
- You and the other party agree on all terms of the case.
- You and the other party have completed the parent information class.
- No non-parent has parental rights over the children.
- You and the other parent are not married to each other.
- You want to conclude your case.

Before signing a court document or getting involved with a court case, it's important to see an attorney to make sure you're doing the right thing. The Self-Help Center has information on finding an attorney.

INSTRUCTIONS

STEP 1: DETERMINE IF THE CHILDREN'S PATERNITY HAS BEEN LEGALLY ESTABLISHED

Paternity has been legally established if either of the following is true.

1. A court order names Father as the children's father.
2. Mother and Father signed an Acknowledgment of Paternity through the Hospital Paternity Program or other means provided by law after July 18, 1996, and a birth certificate listing Father as the father was issued as a result.

STEP 2: IF YOU WANT JOINT LEGAL DECISION-MAKING: FILL OUT THE JOINT LEGAL DECISION-MAKING AGREEMENT

If a Joint Legal Decision-Making Agreement has already been filed and you agree on everything in it: Skip this step, but make sure both parents have signed the Joint Legal Decision-Making Agreement you agree on.

STEP 3: FILL OUT THE CHILD SUPPORT FORMS

If a Parent's Worksheet, Child Support Order, and Income Withholding Order have already been filed and you agree on everything in them: Skip this step.

Otherwise, fill out new versions of these forms listing your and the other party's agreements.

You can find the forms at the Law Library, or online at
<http://coconino.az.gov/DocumentCenter/View/1827>.

STEP 4: FILL OUT THE STIPULATION TO PROCEED BY CONSENT DECREE

STEP 5: FILL OUT THE CONSENT DECREE OF PARENTING TIME, LEGAL DECISION-MAKING, AND CHILD SUPPORT

List your and the other party's agreements on the Consent Decree.

STEP 6: IF EITHER PARENT RECEIVES TANF BENEFITS OR TITLE IV-D SERVICES FROM THE DIVISION OF CHILD SUPPORT ENFORCEMENT ("DCSE"): GET THE ATTORNEY GENERAL'S SIGNATURE ON THE CONSENT DECREE

1. Fill out the Letter: Attorney General's Signature on a Consent Decree
2. Mail or hand-deliver the following to the Attorney General's Office:

[] Letter: Attorney General's Approval of Child Support Amount

- ☐ Consent Decree
- ☐ A self-addressed, stamped envelope with enough postage for the return of the Consent Decree

Keep copies of everything for your records.

3. The Attorney General's Office will mail you the signed Consent Decree.

STEP 7: CHECK THAT YOUR CERTIFICATES OF COMPLETION OF PARENT INFORMATION CLASS HAVE BEEN FILED WITH THE COURT

If you or the other party have not already filed your certificate of completion of parent information class with the court, call the Clerk's Office (928-679-7600) and ask whether your case file includes a certificate for both parties. The class provider may have filed it for you. If either party's certificate has not been filed, file it with the Stipulation.

STEP 8: FILE THE FOLLOWING WITH THE COURT

Take or mail the original and two copies of the following to the Clerk's Office in the Coconino County Courthouse at 200 N. San Francisco St., Flagstaff, AZ 86001.

- ☐ Stipulation to Proceed by Consent Decree
- ☐ Consent Decree Of Parenting Time, Legal Decision-Making, and Child Support
- ☐ Joint Legal Decision-Making Agreement, if applicable
- ☐ Parent's Worksheet for Child Support Amount, if applicable
- ☐ Child Support Order, if applicable
- ☐ Income Withholding Order, if applicable
- ☐ Current Employer Information, if applicable
- ☐ Certificate of completion of parent information class for both spouses, if applicable

If Respondent has not already paid or deferred it, also take or mail Respondent's filing fee listed below beside your case type. The Clerk's Office accepts cash, money orders, and cashier's checks payable to "Clerk of Superior Court". If you can't afford the fee, see the Self-Help Center packet *Getting Help With a Filing Fee*.

Legal Decision-Making, paternity has not been legally established yet: \$279

Legal Decision-Making, paternity has already been legally established: \$214

The Clerk will stamp your copies with the filing date and return them to you for your records. If you file by mail, include a self-addressed, stamped envelope and a note asking the Clerk to return the date-stamped copies to you.

STEP 9: WAIT FOR THE COURT TO CONTACT YOU

If the court approves your Consent Decree, the court will sign it and mail a copy to both parties.

If the court does not approve your Consent Decree, the court will contact both parties to tell you how to proceed.

Petitioner's Name: _____
Mailing Address: _____
City, State, Zip: _____
Phone Number: _____
Representing Self _____

Respondent's Name: _____
Mailing Address: _____
City, State, Zip: _____
Phone Number: _____
Representing Self _____

COCONINO COUNTY SUPERIOR COURT

_____ Case Number: *(leave blank)* DO _____
Petitioner's Name on the Petition that started
this case

JOINT LEGAL DECISION-MAKING
AGREEMENT

Respondent's Name

AGREEMENT:

We agree on everything in this document, which is about the following children:

JOINT LEGAL DECISION-MAKING:

Joint Legal Decision-Making: We will have joint legal-decision making about the children.

Primary Residence:

- ☐ Children will live mostly with Petitioner.
☐ Children will live mostly with Respondent.
☐ Children will live equally with Petitioner and Respondent.

PARENTING TIME:

We agree on the Parenting Time Plan listed in ☐ the Petition ☐ the Response ☐ the Consent Decree
☐ other document: _____, filed with the court on this date: _____

ACCESS TO RECORDS AND INFORMATION:

Under Arizona law (A.R.S. 25-403.06), unless otherwise provided by court order or law, on reasonable request, we are entitled to equal access to documents and other information concerning the children's education and physical, mental, moral, and emotional health including medical, school, police, court, and other records directly from the custodian of the records or from the other party. The court could impose sanctions against a person who does not comply with this law.

EDUCATION:

We will make major educational decisions together. We both may participate in school conferences, events, and activities and consult with teachers and other school personnel.

HEALTH CARE:

We will make major medical/dental decisions together. We both may authorize emergency medical/dental treatment for the children and shall notify each other about that treatment immediately. We both may consult with the children's health practitioners. We will cooperate on health matters concerning the children and keep each other reasonably informed, including about the names, addresses, and phone numbers of all medical/dental care providers.

PROTECTING CHILDREN FROM CRIMINAL OFFENDERS:

We will notify the other party immediately if we know that a convicted or registered sex offender, or a person who has been convicted of a dangerous crime against children, may have access to the children. We will notify the other party by first class mail, return receipt requested, or by email.

"Dangerous crime against children" means any of the following committed against a child under age 15:
Second degree murder.

- Aggravated assault resulting in serious physical injury or involving the discharge, use or threatening exhibition of a deadly weapon or dangerous instrument.
- Sexual assault.
- Molestation of a child.
- Sexual conduct with a minor.
- Commercial sexual exploitation of a minor.
- Sexual exploitation of a minor.
- Child abuse as prescribed in § 13-3623, subsection A, paragraph 1.
- Kidnapping.
- Sexual abuse.
- Taking a child for the purpose of prostitution as prescribed in § 13-3206.
- Child prostitution as prescribed in § 13-3212.
- Involving or using minors in drug offenses.
- Continuous sexual abuse of a child.
- Attempted first degree murder.
- Sex trafficking.

- Manufacturing methamphetamine under circumstances that cause physical injury to a minor.
- Bestiality as prescribed in § 13-1411, subsection A, paragraph 2.
- Luring a minor for sexual exploitation.
- Aggravated luring a minor for sexual exploitation.
- Unlawful age misrepresentation.

IN ADDITION, WE WILL:

- Inform each other in advance of address and/or phone number changes.
- Notify each other in writing before relocating a child out-of-state or over 100 miles within Arizona, if both parties live in Arizona, as required by Arizona law (A.R.S. 25-408).
- Use the Parenting Time Plan order most recently in place until other arrangements are made if either party moves out of the area without the children and returns later.
- Inform each other promptly of emergencies and other important events involving the children.
- Consult with each other and agree about extra activities that affect the children's access to either party.
- Consider each other as care-providers for the children before making other childcare arrangements.
- Not use the children to convey information or change the Parenting Time Plan.
- Encourage love and respect between the children and the other party, and do nothing that might hurt the other party's relationship with the children.

DISPUTES:

We will make our best effort to cooperate consistent with the children's best interests and amicably resolve any disputes. If we are unable to reach an agreement about proposed changes, disputes, or alleged breaches of this Agreement, we may request mediation through the court or a private mediator of our choice. While a dispute is being resolved, we will continue to follow this Agreement.

Date: _____

Petitioner's Signature: _____

Date: _____

Respondent's Signature: _____

Petitioner's Name: _____
Mailing Address: _____
City, State, Zip: _____
Phone Number: _____
Representing Self _____

Respondent's Name: _____
Mailing Address: _____
City, State, Zip: _____
Phone Number: _____
Representing Self _____

SUPERIOR COURT OF ARIZONA, COUNTY OF COCONINO

Petitioner: _____ Case Number: DO _____

STIPULATION TO PROCEED BY
CONSENT DECREE OF:

- ☐ **PARENTING TIME, LEGAL
DECISION-MAKING, AND CHILD
SUPPORT**
- ☐ **AND PATERNITY**
- ☐ **DIVORCE**
- ☐ **LEGAL SEPARATION**
- ☐ **WITH MINOR CHILDREN**
- ☐ **WITHOUT MINOR CHILDREN**

Respondent: _____

We agree on all the terms of this case as listed on the proposed Consent Decree, and we agree to proceed by consent. If this is a divorce or legal separation, at least 60 days have passed since the Petition was served on Respondent.

Child Support: *(Leave blank if there are no children in your case.)* We agree on the child support listed in:

- ☐ The Petition
- ☐ The Response
- ☐ The Consent Decree
- ☐ The document called: _____
that was filed on this date: _____

Sign in front of a notary. Notaries are at the Self-Help Center in the Courthouse and at most banks or listed in the Yellow Pages. The person signing must bring photo ID. Notaries usually charge a fee.

OATH AND VERIFICATION:

I have read this Stipulation. It is true and complete to the best of my knowledge.

Petitioner's Signature: _____

State of Arizona)

)

County of _____)

Subscribed and sworn before me this date: _____ by: _____

Seal:

Notary Public: _____

Notary Expiration Date: _____

I have read this Stipulation. It is true and complete to the best of my knowledge.

Respondent's Signature: _____

State of Arizona)

)

County of _____)

Subscribed and sworn before me this date: _____ by: _____

Seal:

Notary Public: _____

Notary Expiration Date: _____

REQUIRED FORMS:

You must have filed all these forms with the court before you can get a Consent Decree:

- *Parent's Worksheet for Child Support Amount*
- *Child Support Order*
- *Income Withholding Order*
- *Each party's Certificate of Completion of the Parent Information Class*

Petitioner: _____
Mailing Address: _____
City, State, Zip: _____
Phone Number: _____
Representing Self _____

Respondent: _____
Mailing Address: _____
City, State, Zip: _____
Phone Number: _____
Representing Self _____

COCONINO COUNTY SUPERIOR COURT

In re the marriage of

Case Number: DO _____

Petitioner: _____

**CONSENT DECREE OF PARENTING
TIME, LEGAL DECISION-MAKING,
AND CHILD SUPPORT**

[] AND PATERNITY

*(Check this box if paternity has not been
legally established)*

Respondent: _____

ATLAS Number: _____

THE PARTIES STATE:

We are not married to each other. We each have paid an appearance fee or gotten a fee deferral. We agree upon the terms of this Decree. We agree to proceed by consent. We believe that no duress or coercion is involved in these agreements. We understand we each may retain legal counsel of our choice. We understand we are waiving the right to trial. We understand the effect this Decree would have on any protective orders between us. We understand that protective orders will not change unless the court changes them.

THE COURT FINDS:

This case has come before the court for a Consent Decree. The court has taken all testimony needed to enter a final Decree, or the court has determined that testimony is not needed to enter a final Decree. The court has jurisdiction over the parties under the law; the provisions of the Decree are fair and reasonable under the circumstances; and the parenting time, legal decision-making, and child support provisions are in the children's best interest. The parties have met the Consent Decree requirements.

Minor Children:

The following children were born to Petitioner and Respondent when they were not married to each other.

CHILD'S NAME: _____	Birthdate: _____
CHILD'S NAME: _____	Birthdate: _____
CHILD'S NAME: _____	Birthdate: _____

Parent Information Class:

The parties have attended the Parent Information Class as evidenced by the certificates of completion in the court file, or attendance has been waived by the Court.

THE COURT ORDERS:

Paternity:

(Only complete the Paternity section if paternity has not been legally established.)

[] Father is the children's father. Father's Name: _____

- ☐ Father's name shall be added to each child's birth certificate. If any of the children's birth certificates list the name of a father other than Father, that name shall be changed as follows:

Child's Name	Change This Father's Name	To This Father's Name

- ☐ Each child's last name is changed to Father's last name, and for each child a new birth certificate shall be issued showing the new name, as follows:

The Current Name	Is Changed to the New Name	Birthdate

- ☐ ☐ Petitioner or ☐ Respondent shall pay the other party \$_____ for the cost of pregnancy, childbirth, and/or the children's past medical expenses in the amount of \$_____ per month until paid in full. The first payment is due on the first day of _____.
- ☐ Respondent shall pay Petitioner \$_____ for Petitioner's costs and expenses for this action in the amount of \$_____ per month until paid in full. The first payment is due on the first day of _____.

Legal Decision-Making About the Children:

- ☐ **Joint Legal Decision-Making:** The parties are awarded joint legal decision-making about the children as set forth in the Joint Legal Decision-Making Agreement signed by the parties and filed with the Court. The Court adopts the terms of the Agreement. The Agreement has become part of the Decree and carries the same legal weight as the Decree. No significant domestic violence has occurred between the parties.

- ☐ **Sole Legal Decision-Making:** ☐ Petitioner or ☐ Respondent is awarded sole legal decision- Making about the children. Joint legal decision-making is not in the children's best interest because *(you must fill in this blank if you ask for sole legal decision-making)*:

Children's Primary Residence:

- ☐ Children will live mostly with Petitioner.
- ☐ Children will live mostly with Respondent.
- ☐ Children will live equally with Petitioner and Respondent.

Parenting Time:

[] The Court Orders This Parenting Time Plan:

The children will be in Petitioner's care at these times:

At the start of Petitioner's time with the children, [] Respondent will drop them off or

[] Petitioner will pick them up at this time: _____
at this location: _____

The children will be in Respondent's care at these times:

At the start of Respondent's time with the children, [] Petitioner will drop them off or

[] Respondent will pick them up at this time: _____
at this location: _____

While the parties understand the court may enforce this drop-off and pick-up schedule, they will be reasonably flexible about it.

Other scheduling arrangements:

[] During summer months or school breaks longer than four days not listed in the holiday schedule below, the children will be in [] Petitioner's or [] Respondent's care.

[] We each are entitled to an annual _____-week vacation with the children. We will work out the details of the vacation at least _____ days in advance.

[] Neither party will travel with the children outside Arizona for longer than _____ days without the prior written consent of the other party or order of the court.

The parties will inform each other of plans to travel out of the area with the children and of addresses and phone numbers where we and children can be reached during travel.

Holidays:

	Even Years		Odd Years	
	Petitioner	Respondent	Petitioner	Respondent
New Year's Eve	[]	[]	[]	[]
New Year's Day	[]	[]	[]	[]
Spring Vacation	[]	[]	[]	[]
Easter	[]	[]	[]	[]
Passover	[]	[]	[]	[]
Mother's Day	[]	[]	[]	[]
Father's Day	[]	[]	[]	[]
4 th of July	[]	[]	[]	[]

	Even Years		Odd Years	
	Petitioner	Respondent	Petitioner	Respondent
Halloween	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Veteran's Day	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Thanksgiving	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Hanukkah	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Christmas Eve	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Christmas Day	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Winter Break	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Children's Birthdays	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

☐ Each party will have the children on that party's birthday.

☐ On three-day weekends, which include Martin Luther King Day, President's Day, Memorial Day, Labor Day, and Columbus Day, the children will remain in the care of the party who has them for the weekend.

Holiday times will begin and end as follows: _____

Phone access:

☐ Each party may contact the children by phone during the children's normal waking hours.

☐ Other: _____

Religion:

☐ Each party may take the children to a place of worship of that party's choice while the children are in that party's care.

☐ The children may be instructed in the following faith: _____

☐ Religious arrangements do not apply to this Plan.

Communicating with each other: The parties will communicate with each other about the children ☐ by phone ☐ by email ☐ by text ☐ in person at least every _____ days.

The parties may change the parenting plan by written agreement only, except in an emergency.

Reviewing the plan: The parties will review this Plan every _____ months and ask the court for any necessary or desired changes.

Disagreements: If the parties have disagreements about this Parenting Plan in the future – such as about changes, violations, or moving with the children – they'll make their best effort to cooperate and come to agreements in the children's best interest. If they can't agree, they have the option to ask for mediation through the court or a private mediator of their choice. While they're trying to come to an agreement, they will continue to follow this Parenting Plan.

Other: _____

[] The Court Orders Supervised Parenting Time:

Unsupervised parenting time would endanger the children's physical, mental, moral, or emotional health because:

Parenting time may take place only in the presence of another person, named as follows:

Other restrictions on parenting time:

The cost of supervised parenting time, if any, will be paid [] by the party being supervised or [] by the custodial party or [] equally by both parties.

[] The Court Orders No Parenting Time:

Even supervised parenting time with the other party would endanger the children's physical, mental, moral, or emotional health because:

Child Support: Child support shall be paid as stated in the Child Support Order issued on or about this date: (*leave blank*) _____. The child support obligation shall continue until the children have reached age 18 and graduated from high school or have reached 19 and have not graduated from high school. The paying party must apply to the court to terminate child support payments.

[] Deviation: The Child Support Order lists child support that's different from the amount on the Parent's Worksheet for Child Support Amount. It would be inappropriate or unjust to apply the amount on the Worksheet because:

This deviation is in the children's best interest because:

Children's Insurance and Health Care Expenses: The party ordered to pay shall keep the other party informed of the insurance company name, address, and phone number and provide the other party with all documents necessary to submit insurance claims.

Petitioner is responsible for providing [] medical [] dental [] vision care insurance.

Respondent is responsible for providing [] medical [] dental [] vision care insurance.

Petitioner will pay _____% and Respondent will pay _____% of all reasonable un-reimbursed medical, dental, and health related expenses incurred for the children.

Tax Exemptions: The parties' income tax dependency exemptions are divided as follows. A party required to pay child support shall claim children as income tax dependency deductions only if the party has paid all child support due and owing. If there is unpaid child support owed at the end of the tax year, the non-paying party is entitled to claim all deductions for the tax year.

Petitioner	Respondent	Child's Name	Tax Years
<input type="checkbox"/>	<input type="checkbox"/>	_____	_____
<input type="checkbox"/>	<input type="checkbox"/>	_____	_____
<input type="checkbox"/>	<input type="checkbox"/>	_____	_____
<input type="checkbox"/>	<input type="checkbox"/>	_____	_____
<input type="checkbox"/>	<input type="checkbox"/>	_____	_____
<input type="checkbox"/>	<input type="checkbox"/>	_____	_____

Enforcement of Temporary Orders: *(Leave this paragraph blank.)* For obligations ordered to be paid in the temporary orders dated _____ ☐ they are satisfied in full or ☐ judgment is awarded against the party with the obligation. The amount owing as of the date of this Decree is \$_____. At the legal rate of interest, the total amount currently owing is \$_____.

Final Appealable Order: Pursuant to Rule 89, Arizona Rules of Family Law Procedure, this final judgment/decree is settled, approved and signed by the court and shall be entered by the clerk.

Other Orders:

Date: _____

Superior Court Judge: _____

APPROVED BY:

Sign in front of a notary. Notaries are at the Self-Help Center in the Courthouse and at most banks or listed in the Yellow Pages. The person signing must bring photo ID. Notaries usually charge a fee.

I have read this Consent Decree, the Child Support Order, and the Income Withholding Order and agree to be bound by their terms and conditions.

Petitioner's Signature: _____

State of Arizona)
)
County of _____)

Subscribed and sworn before me this date: _____ by: _____

Seal: Notary Public: _____
Notary Expiration Date: _____

I have read this Consent Decree, the Child Support Order, and the Income Withholding Order and agree to be bound by their terms and conditions.

Respondent's Signature: _____

State of Arizona)
)
County of _____)

Subscribed and sworn before me this date: _____ by: _____

Seal: Notary Public: _____
Notary Expiration Date: _____

Date: _____
Petitioner's Attorney's Signature

Date: _____
Respondent's Attorney's Signature

By signing this Decree, the Attorney General's Office gives its written approval for any specified child support amount in this Decree. *(This signature is required only if either party receives TANF benefits or Title IV-D services from the Division of Child Support Enforcement.)*

Date: _____

Attorney General's Office's Signature